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HEWLETT-PACKARD COMPANY
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FORT COLLINS, CO 80528

In re Application of	:	
Steven J. Simske	:	DECISION ON PETITION
Application No. 10/700,243	:	UNDER 37 CFR §1.181
Filed: November 3, 2003	:	
For: NAVIGATION ROUTING SYSTEM	:	
AND METHOD	:	

This is a decision on applicant's petition under 37 CFR 1.181 filed March 14, 2008 requesting withdrawal of the finality of the Office action mailed January 3, 2008.

The petition is **DISMISSED AS MOOT**.

Applicant alleges that the finality of the January 3, 2008 Office action was premature as the examiner introduced a new ground of rejection on 35 USC 112, first paragraph on unamended claims.

A review of the file record shows that a non-final Office action was mailed on June 15, 2007. Applicant filed a response on September 17, 2007 arguing the rejection but keeping the claims unchanged. The examiner issued a final Office action on January 3, 2008 with a 112, first paragraph rejection which was a new rejection. Applicant timely filed this petition on March 14, 2008. The examiner withdrew the January 3, 2008 final Office action and issued a non-final Office action on September 24, 2008.

As the corrective action has been made, the issue raised in the petition is now moot.

Any questions regarding this decision should be directed to Supervisory Patent Examiner Thomas Black at (571) 272-6956.

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tb/lm: 8/26/10

LM